

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31112 of 2023

Arising Out of PS. Case No.-437 Year-2021 Thana- PURNEA SADAR District- Purnia

MONU KHALIFA @ MONU KHAN @ MOIN AKHTAR s/o Nayeem
Khalifa @ Nayeem @ Nayeem Akhtar Resident of Khanka Lakhan Jhari Zero
Mile, Gulab Bagh, P.S.- Sadar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Advocate

For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-06-2023 Heard Mr. Bhola Prasad, learned counsel for the
petitioner and the State.

The petitioner is in custody since 17.10.2022 in connection with Sadar P.S. Case No. 437 of 2021 for the offence punishable under Sections 341, 342, 366(A), 367, 370, 370(A), 370(5), 371, 372, 373, 376 and 120(B) of the I.P.C. lodged on 28.8.2021 by the informant Anil Kumar Sinha.

As per the prosecution story, the petitioner and the other accused persons are indulged in the prostitution work in which young girls are being forced into the said business and even the daughters of one of the co-accused have made allegation in this regard.

It has been contended by the learned counsel for the



petitioner that only allegation against him is of aiding in flesh trade of Akbar Khaliffa who has since been released on bail by a coordinate bench of this Court in Cr. Misc. No. 28608 of 2022 on 10.11.2022.

Let the same be kept on record.

Learned APP opposes the prayer stating that they were in the business of prostitution.

Considering the fact that some of the co-accused namely Akbar Khaliffa has since been granted bail, the petitioner is in custody since 17.10.2022, this Court is constrained to enlarge the petitioner on bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Sixth Additional Sessions Judge cum Special Judge (POCSO), Purnea, in connection with Sadar P.S. Case No. 437 of 2021 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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